

## REMARKS

Claims 1-26 are pending. A Final Office Action mailed December 22, 2004 rejected Claims 1-26 under 35 U.S.C. § 103. By way of this amendment, Applicant hereby amends Claims 1-3, 7-10, 12, 13, 17, and 22-26 and cancels Claims 19-21. Pursuant to 37 CFR § 1.116, Applicants hereby respectfully request reconsideration of the Application.

### REJECTION OF CLAIMS 1-6, 8-11, 13, 17-21 AND 26 UNDER 35 U.S.C. § 103

The Final Office Action rejected Claims 1-6, 8-11, 13, 17-21 and 26 as being unpatentable over DeLorme et al. (Delorme) in view of Tran or Sigeti et al. (Sigeti). The Final Office Action states that Delorme provides terrain data to multiple users and explicitly notes that data is extracted from a database. The extracted data is sent to the requestor and provides for extensive formatting of the requested data. The Final Office Action states that Delorme does not explicitly address terrain elevation, but makes it clear that situation awareness in aviation is involved in a significant alternate embodiment. Also, the Final Office Action states Trans and Sigeti provide evidence of the role of terrain elevation information in situation awareness and that it would have been obvious to one of ordinary skill in the art at the time of the invention to include elevation information in terrain data in Delorme because Delorme is intended to be applied to aviation embodiments and because of the importance of the role of terrain elevation in aviation. With regard to the above-amended independent claims, Applicants respectfully traverse this rejection.

Applicants submit that Delorme relates to a new computer aided routing system (CARS) for business and recreational travel planning. Delorme provides an interactive computer travel planning guide for determining a route between a user selected travel origin and travel destination following user selected intermediate waypoints along the way. The user can also select among a plurality of types of geographically locatable points of interest (POIs) within a user defined region of interest along the travel route (col. 1, lines 13-36). Because Delorme is motivated to providing the capability of constructing a user customized travelog of assembled

multimedia information for previewing a particular user determined route of travel, Delorme fails to disclose, teach, or fairly suggest a method for providing only terrain elevation information to multiple users.

Applicants submit that Tran discloses situation awareness data is overlaid as icon symbols on the...terrain elevation image provided from the moving map generator 6 (col. 4, lines 15-32). Thus, Tran discloses situation awareness data is wholly distinct from a terrain elevation image. Applicants submit that if Tran were combined with Delorme, then the map produced by Delorme would include the situation awareness data. Because the situation awareness data is distinct from terrain elevation information (Tran), Applicants submit that Delorme in combination with Tran fails to disclose, teach, or fairly suggest a method for providing only terrain elevation information to multiple users.

Applicants submit that Sigeti discloses reduced resolution approximations of very large databases for real-time viewing (col. 1, lines 29-36). Thus, Applicants submit that if Sigeti were combined with Delorme, a user could quickly view various levels of resolution of a determined route of travel. Sigeti fails to disclose elevation information and route of travel information. Thus, Applicants submit that Delorme in combination with Sigeti fails to disclose, teach, or fairly suggest a method for providing only terrain elevation information to multiple users.

Therefore, Applicants submit that independent Claims 1, 8, 13, 17, and 26 are allowable over the cited references. Because Claims 2-6, 9-11, and 18 depend from allowable independent claims, they are allowable for the same reasons that make their corresponding independent claims allowable.

REJECTION OF CLAIMS 7, 12, 14-16, AND 22-25 UNDER 35 U.S.C. § 103

The Final Office Action rejected Claims 7, 12, 14-16, and 22-25 as being unpatentable over Delorme in view of Lambert, et al. (Lambert) and Tran or Sigeti . The Final Office Action states that Lambert facilitates efficient data transfer of multimedia data in order to enhance

performance and reliability of data transmission to a user. Official notice was taken that it was well known at the time of the invention to use multiple servers for performing online data queries in an efficient manner and in particular for streaming of multimedia data for the purposes of reliability, integrity, or redundancy. With regard to the above-amended independent claims, Applicants respectfully traverse this rejection.

Applicants submit that Lambert fails to overcome the noted deficiencies identified above with regard to Delorme. Applicants submit that independent Claim 22 includes similar limitations as the other amended independent claims, therefore, Claim 22 is allowable over the cited references. Because Claim 7, 12, 14-16, and 23-25 depend from allowable independent claims, they are allowed for the same reasons that make their corresponding independent claims allowable.

## CONCLUSION

Applicants respectfully submit that all of the claims of the pending Application are now in condition for allowance over the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicants' agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>

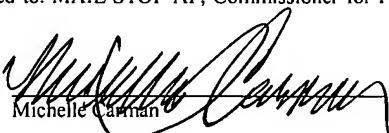


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## MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Michelle Callahan